

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JOHN M. TAYLOR,

Plaintiff,

v.

THE FEDS,

Defendant.

NO: 2:14-CV-0001-TOR

ORDER DISMISSING CASE

BEFORE THE COURT is Plaintiff's request to file a *pro se* complaint *in forma pauperis*. ECF No. 1 and 2.

**DISCUSSION**

By Local Rule, each United States Magistrate Judge in this District is delegated the authority to "[r]ule upon applications to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915." LMR 1(a)(16). By Order dated January 2, 2014, a United States Magistrate Judge reviewed Plaintiff's application to proceed *in forma pauperis* and denied the same with leave to renew. ECF No.3. The Order explained that Plaintiff provided incomplete answers to multiple questions, but

1 allowed Plaintiff thirty days to submit a properly completed application (or pay the  
2 full filing fee). *Id.* Thirty days has passed and Plaintiff chose neither alternative.

3 ***In Forma Pauperis* Determination**

4 *Forma pauperis* status requires two findings: (1) a finding of indigency, and  
5 (2) a finding that the underlying claim has some merit. *Bradshaw v. Zoological*  
6 *Soc. of San Diego*, 662 F.2d 1301, 1308 (9th Cir. 1981). Pursuant to 28 U.S.C.  
7 § 1915(e)(2)(B), notwithstanding any filing fee, or any portion thereof, that may  
8 have been paid, the court shall dismiss the case at any time if the court determines  
9 that the action or appeal (i) is frivolous or malicious or (ii) fails to state a claim  
10 upon which relief may be granted.

11 A complaint fails to state a claim upon which relief may be granted if it  
12 lacks a cognizable legal theory or lacks sufficient facts to support a cognizable  
13 legal theory. *Balistreri v. Pacifica Police Dept.*, 901 F.2d 696, 699 (9th Cir. 1990).  
14 Plaintiff's Complaint does not state a cognizable legal theory, i.e., short plain  
15 statements showing the court's jurisdiction and the grounds for relief. *See* Fed.  
16 Rule Civ. Pro. 8(a).

17 Plaintiff's civil cover sheet accompanying his complaint purports to seek  
18 \$500 million for "Discrimination when it comes down to Premedicated (sic)  
19 Murder 'Spying' unjust uses of Work 'I can see the people on TV (Live).'" Thus,  
20

1 Plaintiff does not articulate a cognizable legal theory upon which relief may be  
2 granted.

3 Plaintiff failed to avail himself of the opportunity to amend his application to  
4 provide complete information, nor has he paid the filing fee within thirty days.

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6 **Plaintiff is advised that the filing of further frivolous actions will result**  
7 **in the imposition of more serious sanctions than dismissal.**

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9 **ACCORDINGLY, IT IS HEREBY ORDERED:**

10 1. Plaintiff's Application to Proceed in the District Court In Forma

11 Pauperis, ECF No. 2, is **DENIED**.

12 2. Plaintiff's proposed Complaint, ECF No. 1, is **DISMISSED**.

13 The District Court Executive is hereby directed to enter this Order, a  
14 Judgment of Dismissal, furnish copies to Plaintiff at his last known address, and  
15 **CLOSE** the file.

16 **DATED** April 2, 2014.



20

A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge